

EXHIBIT 3



Secretary of State Certificate of Status

I, SHIRLEY N. WEBER, PH.D., California Secretary of State, hereby certify:

Entity Name: PINNACLE EMPLOYEE SERVICES, INC.
Entity No.: 3606085
Registration Date: 09/23/2013
Entity Type: STOCK CORPORATION - CA - GENERAL
Formed In: CALIFORNIA
Status: ACTIVE (GOOD STANDING)

The above referenced entity is active on the Secretary of State's records and is authorized to exercise all its powers, rights and privileges in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may impact status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of April 20, 2022.

A handwritten signature in black ink, appearing to read "S. N. Weber".

SHIRLEY N. WEBER, PH.D.
Secretary of State

Certificate No.: 004223622

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at bizfileOnline.sos.ca.gov.

RE: BHSC01-31 LLC - Name Change

Stephanie Bernhardt <sbernhardt@apintego.com>

Thu 2014-01-30 1:15 PM

To: mallen@pinnaclehro.com <mallen@pinnaclehro.com>

 10 attachments (17 KB)

image001.gif; image002.gif; image003.gif; image004.gif; image006.png; image007.png; image008.jpg; image009.gif; image010.jpg; image011.jpg;

Good Afternoon,

In order to update the name of the business please tell me the following information below for the new name. There are specific forms that need to be put together by me and for the client to sign to endorse the policy.

Entity Type:

Effective Date of change:

FEIN:

Ownership & percentage of ownership:

Address:

In regards to your company name, I am showing that the client is with Intuit Online Payroll not Pinnacle Employee Services. Is that incorrect?

Thank you,

Stephanie Bernhardt

APintego Insurance Services, LLC
333 W. Commercial Street Suite 2500
East Rochester, NY 14445
888-289-2939 ext. 5562
888-289-2988 fax
sbernhardt@apintego.com

From: 'James Davidson' [mailto:jdavidson@integoinsurance.com]**Sent:** Thursday, January 30, 2014 11:36 AM**To:** cservice@apintego.com**Subject:** FW: Update Contact Info

Hi ,

Please see below. Client needs to update the name on their policy and contact person.

Thank you,

Jim

From: Michael Allen [mailto:mallen@pinnaclehro.com]**Sent:** Tuesday, January 28, 2014 6:11 PM**To:** 'James Davidson'**Subject:** Update Contact Info

Hi Jim-

I wanted to let you know that our company has changed its name to Pinnacle Employee Services. Also, my client BHD Newport is now BHD SoCal. Also, they need to change the poc to Steve Burke. The policy number is EIG-1623893-00 and the Name on file is BHSC01-31 LLC. Can you help make this change go through? I was informed by Employers that I had to contact you to get the change taken care of.

Please let me know if you need anything else from me.

*Kind regards,
Michael Allen*



[website](#) / [vCard](#) / [email](#)

MICHAEL ALLEN



A Full Service HR Management Company

President/CEO

Pinnacle Employee Services

2377 Gold Meadow Way | #100 | Gold River, CA 95670 | United States

tel (916) 760-7227 | fax (866) 452-9781

***Confidentiality Note:** This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify me immediately by returning it and delete this copy from your system. Thank you for your cooperation.*



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Generated on: This page was generated by TSDR on 2024-03-08 13:08:13 EST

Mark: PINNACLE EMPLOYEE SERVICES

PINNACLE EMPLOYEE SERVICES

US Serial Number: 90376137

Application Filing Date: Dec. 11, 2020

US Registration Number: 6696685

Registration Date: Apr. 12, 2022

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Apr. 12, 2022

Publication Date: Jan. 25, 2022

Mark Information

Mark Literal Elements: PINNACLE EMPLOYEE SERVICES

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "EMPLOYEE SERVICES"

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Human resources consultation; Payroll preparation

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 06, 2013

Use in Commerce: Sep. 01, 2013

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44D: No

Filed 44E: No

Currently 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: PINNACLE EMPLOYEE SERVICES, INC.

Owner Address: 2377 GOLD MEADOW WAY
STE 100
GOLD RIVER, CALIFORNIA UNITED STATES 95670

Legal Entity Type: CORPORATION

State or Country CALIFORNIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Samuel K Swenson

Attorney Primary Email Address: sam@swensonlawfirm.com

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: Samuel K Swenson
THE SWENSON LAW FIRM
8788 GREENBACK LN
STE 105
ORANGEVALE, CALIFORNIA UNITED STATES 95662

Phone: 916-333-0833

Fax: 9164593111

Correspondent e-mail: sam@swensonlawfirm.com erica@swensonlawfirm.com
m.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 13, 2023	TEAS SECTION 7 REQUEST RECEIVED	
Jul. 20, 2022	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 20, 2022	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 12, 2022	REGISTERED-PRINCIPAL REGISTER	
Jan. 25, 2022	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jan. 25, 2022	PUBLISHED FOR OPPOSITION	
Jan. 05, 2022	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Dec. 20, 2021	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 15, 2021	SUSPENSION CHECKED - TO ATTORNEY FOR ACTION	
Jun. 10, 2021	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	
Jun. 10, 2021	LETTER OF SUSPENSION E-MAILED	
Jun. 10, 2021	SUSPENSION LETTER WRITTEN	
Jun. 03, 2021	ASSIGNED TO EXAMINER	
Feb. 19, 2021	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED	
Dec. 15, 2020	NEW APPLICATION ENTERED	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Apr. 12, 2022

Assignment Abstract Of Title Information

Summary

Total Assignments: 1

Registrant: Michael Allen

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [7762/0124](#)

Pages: 7

Date Recorded: Jun. 24, 2022

Supporting Documents: [assignment-tm-7762-0124.pdf](#)

Name: [ALLEN, MICHAEL](#)

Legal Entity Type: INDIVIDUAL

Assignor

Execution Date: Apr. 12, 2022

Citizenship: UNITED STATES

Assignee

Name: [PINNACLE EMPLOYEE SERVICES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 2377 GOLD MEADOW WAY
STE 100
GOLD RIVER, CALIFORNIA 95670

Correspondent

Correspondent Name: CAGIL AREL

Correspondent Address: 555 CAPITOL MALL, SUITE 700
555 CAPITOL MALL, SUITE 700
SACRAMENTO, CA 95814

Domestic Representative - Not Found

PTO- 1597

Approved for use through 01/31/2025, OMB 0951-0055

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Section 7 Request Form**The table below presents the data as entered.**

Input Field	Entered
REGISTRATION NUMBER	6696685
SERIAL NUMBER	90376137
MARK SECTION	
MARK	mark
LITERAL ELEMENT	PINNACLE EMPLOYEE SERVICES
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
OWNER SECTION (current)	
NAME	PINNACLE EMPLOYEE SERVICES, INC.
INTERNAL ADDRESS	STE 100
MAILING ADDRESS	2377 GOLD MEADOW WAY
CITY	GOLD RIVER
STATE	California
ZIP/POSTAL CODE	95670
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
OWNER SECTION (proposed)	
NAME	PINNACLE EMPLOYEE SERVICES, INC.
DBA/AKA/TA/Formerly	DBA Pinnacle Employee Services
MAILING ADDRESS	2377 GOLD MEADOW WAY
CITY	GOLD RIVER
STATE	California
ZIP/POSTAL CODE	95670
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	19163707849
EMAIL	XXXX
LEGAL ENTITY SECTION (current)	
TYPE	corporation
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF INCORPORATION	California
LEGAL ENTITY SECTION (proposed)	

TYPE		corporation
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF INCORPORATION		California
EXPLANATION OF FILING		
I need a new certificate mailed to me showing new ownership.		
ATTORNEY INFORMATION		
NAME	Samuel K Swenson	
ATTORNEY BAR MEMBERSHIP NUMBER	XXX	
YEAR OF ADMISSION	XXXX	
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX	
FIRM NAME	THE SWENSON LAW FIRM	
INTERNAL ADDRESS	STE 105	
STREET	8788 GREENBACK LN	
CITY	ORANGEVALE	
STATE	California	
POSTAL CODE	95662	
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States	
PHONE	916-333-0833	
FAX	9164593111	
EMAIL	sam@swensonlawfirm.com	
CORRESPONDENCE INFORMATION		
NAME	SAMUEL K SWENSON	
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	sam@swensonlawfirm.com	
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	erica@swensonlawfirm.com	
PAYMENT SECTION		
SECTION 7 FEE – Amendment filed is the correction of an immaterial error that was the fault of the USPTO	100	
TOTAL FEES DUE	100	
SIGNATURE SECTION		
DECLARATION SIGNATURE	/michael allen/	
SIGNATORY'S NAME	MICHAEL ALLEN	
SIGNATORY'S POSITION	Owner	
DATE SIGNED	10/13/2023	
SIGNATURE METHOD	Signed directly within the form	
REQUEST SIGNATURE	/michael allen/	
SIGNATORY'S NAME	MICHAEL ALLEN	
SIGNATORY'S POSITION	Owner	
DATE SIGNED	10/13/2023	
SIGNATURE METHOD	Signed directly within the form	
REQUEST SIGNATURE	/michael allen/	
SIGNATORY'S NAME	MICHAEL ALLEN	
SIGNATORY'S POSITION	Owner	
DATE SIGNED	10/13/2023	

ROLE OF AUTHORIZED SIGNATORY	Owner/Holder not represented by an attorney
SIGNATURE METHOD	Signed directly within the form
CONCURRENT 8, 8 & 15, OR 8 & 9 FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Oct 13 15:47:06 ET 2023
TEAS STAMP	USPTO/S7R-XX.XXX.XXX.XXX- 20231013154707521577-6696 685-850bfc9ed5a73c906e7cf 5cdd9f7838a592d7b685f61e3 63ca289ff69b07e6a9e-CC-47 066360-202310131522229935 61

PTO- 1597

Approved for use through 01/31/2025. OMB 0551-0755

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Section 7 Request Form**To the Commissioner for Trademarks:**

The registrant requests the following amendment(s) to registration no. **6696685** PINNACLE EMPLOYEE SERVICES(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/90376137/large>) has been amended as follows:

EXPLANATION OF FILING

I need a new certificate mailed to me showing new ownership.

OWNER AND/OR ENTITY INFORMATION**Registrant proposes to amend the following:**

Current: PINNACLE EMPLOYEE SERVICES, INC., a corporation of California, having an address of
2377 GOLD MEADOW WAY STE 100
GOLD RIVER, California 95670
United States

Proposed: PINNACLE EMPLOYEE SERVICES, INC. DBA Pinnacle Employee Services, a corporation of California, having an address of
STE 100
2377 GOLD MEADOW WAY
GOLD RIVER, California 95670
United States
XXXX
19163707849

The owner's/holder's current attorney information: Samuel K Swenson. Samuel K Swenson of THE SWENSON LAW FIRM, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

STE 105
8788 GREENBACK LN
ORANGEVALE, California 95662
United States

The phone number is 916-333-0833.

The fax number is 9164593111.

The email address is sam@swensonlawfirm.com

Correspondence Information

SAMUEL K SWENSON

PRIMARY EMAIL FOR CORRESPONDENCE: sam@swensonlawfirm.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): erica@swensonlawfirm.com

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

FEE(S)

Fee(s) in the amount of \$100 is being submitted.

SIGNATURE(S)

Declaration Signature

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /michael allen/ Date: 10/13/2023

Signatory's Name: MICHAEL ALLEN

Signatory's Position: Owner

Signatory's Phone: 9163707849

Signature method: Signed directly within the form

Request Signature

Signature: /michael allen/ Date: 10/13/2023

Signatory's Name: MICHAEL ALLEN

Signatory's Position: Owner

Signatory's Phone: 9163707849

Signature method: Signed directly within the form

The signatory has confirmed that he/she is not represented by an authorized attorney, and that he/she is either: (1) the owner/holder ; or (2) a person or persons with legal authority to bind the owner/holder; and if he/she had previously been represented by an attorney in this matter, either he/she revoked their power of attorney by filing a signed revocation with the USPTO or the USPTO has granted this attorney's withdrawal request.

The registrant is filing a Declaration of Use of Mark under Section 8; a Combined Declaration of Use of Mark under Sections 8 & 15; or a Combined Declaration of Use of Mark/Application for Renewal of Registration of Mark under Sections 8 & 9 in conjunction with this Section 7 Request.

Mailing Address: SAMUEL K SWENSON

THE SWENSON LAW FIRM

STE 105

8788 GREENBACK LN

ORANGEVALE, California 95662

Mailing Address: Samuel K Swenson

THE SWENSON LAW FIRM

STE 105

8788 GREENBACK LN

ORANGEVALE, California 95662

PAYMENT: 6696685

PAYMENT DATE: 10/13/2023

Serial Number: 90376137

Internet Transmission Date: Fri Oct 13 15:47:06 ET 2023

TEAS Stamp: USPTO/S7R-XX.XXX.XXX.XXX-202310131547075

21577-6696685-850bfc9ed5a73c906e7cf5cdd9
f7838a592d7b685f61e363ca289ff69b07e6a9e-
CC-47066360-20231013152222993561

United States of America

United States Patent and Trademark Office

PINNACLE EMPLOYEE SERVICES

Reg. No. 6,696,685

Registered Apr. 12, 2022

Int. Cl.: 35

Service Mark

Principal Register

Michael Allen (UNITED STATES INDIVIDUAL)
2377 Gold Meadow Way
Gold River, CALIFORNIA 95670

CLASS 35: Human resources consultation; Payroll preparation

FIRST USE 8-6-2013; IN COMMERCE 9-1-2013

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown: "EMPLOYEE SERVICES"

SER. NO. 90-376,137, FILED 12-11-2020



Donna H. Hill

Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

From: TMOOfficialNotices@USPTO.GOV
Sent: Tuesday, January 25, 2022 00:50 AM
To: XXXX
Cc: XXXX
Subject: Official USPTO Notice of Publication Confirmation: U.S. Trademark SN 90376137: PINNACLE EMPLOYEE SERVICES

TRADEMARK OFFICIAL GAZETTE PUBLICATION CONFIRMATION

U.S. Serial Number: 90376137
Mark: PINNACLE EMPLOYEE SERVICES
International Class(es): 035
Owner: Michael Allen
Docket/Reference Number:

The mark identified above has been published in the Trademark Official Gazette (TMOG) on Jan 25, 2022.

To Review the Mark in the TMOG:

Click on the following link or paste the URL into an internet browser: <https://tmog.uspto.gov/#issueDate=2022-01-25&serialNumber=90376137>

On the publication date or shortly thereafter, the applicant should carefully review the information that appears in the TMOG for accuracy. For corrections or amendments after publication, please use the Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment Form, accessible at <https://teas.uspto.gov/office/ppa>. For general information about this notice, please contact the Trademark Assistance Center at 1-800-786-9199.

Significance of Publication for Opposition:

- * Any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time therefor) with the Trademark Trial and Appeal Board. If no party files an opposition or extension request within thirty (30) days after the publication date, then eleven (11) weeks after the publication date a certificate of registration should issue.

To check the status of the application, go to https://tsdr.uspto.gov/#caseNumber=90376137&caseType=SERIAL_NO&searchType=statusSearch or contact the Trademark Assistance Center at 1-800-786-9199. Please check the status of the application at least every three (3) months after the application filing date.

To view this notice and other documents for this application on-line, go to https://tsdr.uspto.gov/#caseNumber=90376137&caseType=SERIAL_NO&searchType=documentSearch. NOTE: This notice will only become available on-line the next business day after receipt of this e-mail.



UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

Commissioner for Trademarks
www.uspto.gov

OFFICIAL USPTO NOTICE OF PUBLICATION UNDER 12(a)

U.S. Application Serial No. 90376137
Mark: PINNACLE EMPLOYEE SERVICES
International Class(es): 035
Owner: Michael Allen
Docket/Reference No.

Issue Date: January 5, 2022

Your mark is scheduled to publish in the *Trademark Official Gazette (TMOG)* on January 25, 2022.

Your mark appears to be entitled to register on the Principal Register, subject to any claims of concurrent use.

What happens when your mark publishes. Within 30 days of the publication date, any party who believes it will be damaged by the registration of the mark may file a notice of opposition (or extension of time) with the Trademark Trial and Appeal Board. If no objection is filed, we will issue a registration.

View your mark in the TMOG after the publication date at <https://tmog.uspto.gov/> by selecting your publication date in the "issues" field, entering your serial number in the "search by" field, and clicking on the magnifying glass.

Ensure that the information in the TMOG is correct. If any information is incorrect, promptly request correction using the "Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment" form at <https://teas.uspto.gov/office/ppa/>. For more information, see <https://www.uspto.gov/trademark/trademark-updates-and-announcements/procedures-submitting-amendmentscorrections-trademark>.

Direct questions about this notice to the Trademark Assistance Center (TAC) at 1-800-786-9199 (select option 1) or TrademarkAssistanceCenter@uspto.gov.

Email Address(es):

sam@swensonlawfirm.com
erica@swensonlawfirm.com

From: TMOOfficialNotices@USPTO.GOV
Sent: Wednesday, January 5, 2022 04:08 AM
To: XXXX
Cc: XXXX
Subject: Official USPTO Notification of Notice of Publication: U.S. Trademark SN 90376137: PINNACLE EMPLOYEE SERVICES

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (U.S. Serial No. 90376137) is scheduled to publish in the *Official Gazette* on Jan 25, 2022. To preview the Notice of Publication, go to the Trademark Status & Document Retrieval (TSDR) database, accessible at <https://tsdr.uspto.gov/search.action?sn=90376137>. If you have difficulty accessing the Notice of Publication, contact the Trademark Assistance Center (TAC) by e-mail at TrademarkAssistanceCenter@uspto.gov or by telephone at 800-786-9199.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Please confirm that the correspondence information shown in TSDR is correct. If the correspondence information is not correct, please update this information using the online Change of Correspondence Address Form, accessible at <https://teas.uspto.gov/ccr/cca>.

Do NOT hit "Reply" to this e-mail notification. If you find an error in the Notice of Publication, update the information using the Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment Form, accessible at <https://teas.uspto.gov/office/ppa>.

Trademark Snap Shot Publication Stylesheet
(Table presents the data on Publication Approval)

OVERVIEW

SERIAL NUMBER	90376137	FILING DATE	12/11/2020
REG NUMBER	0000000	REG DATE	N/A
REGISTER	PRINCIPAL	MARK TYPE	SERVICE MARK
INTL REG #	N/A	INTL REG DATE	N/A
TM ATTORNEY	JOHNSON, DONALD OLVIN	L.O. ASSIGNED	104

PUB INFORMATION

RUN DATE	12/21/2021		
PUB DATE	N/A		
STATUS	681-PUBLICATION/ISSUE REVIEW COMPLETE		
STATUS DATE	12/21/2021		
LITERAL MARK ELEMENT	PINNACLE EMPLOYEE SERVICES		
DATE ABANDONED	N/A	DATE CANCELLED	N/A
SECTION 2F	NO	SECTION 2F IN PART	NO
SECTION 8	NO	SECTION 8 IN PART	NO
SECTION 15	NO	RE PUB 12C	N/A
RENEWAL FILED	NO	RENEWAL DATE	N/A
DATE AMEND REG	N/A		

FILING BASIS

FILED BASIS		CURRENT BASIS		AMENDED BASIS	
1 (a)	YES	1 (a)	YES	1 (a)	NO
1 (b)	NO	1 (b)	NO	1 (b)	NO
44D	NO	44D	NO	44D	NO
44E	NO	44E	NO	44E	NO
66A	NO	66A	NO		
NO BASIS	NO	NO BASIS	NO		

MARK DATA

STANDARD CHARACTER MARK	YES
LITERAL MARK ELEMENT	PINNACLE EMPLOYEE SERVICES
MARK DRAWING CODE	4-STANDARD CHARACTER MARK
COLOR DRAWING FLAG	NO

CURRENT OWNER INFORMATION

PARTY TYPE	10-ORIGINAL APPLICANT
------------	-----------------------

NAME	Michael Allen
ADDRESS	2377 Gold Meadow Way Gold River, CA 95670
ENTITY	01-INDIVIDUAL
CITIZENSHIP	United States of America
GOODS AND SERVICES	
INTERNATIONAL CLASS	035
DESCRIPTION TEXT	Human resources consultation; Payroll preparation

GOODS AND SERVICES CLASSIFICATION							
INTERNATIONAL CLASS	035	FIRST USE DATE	08/06/2013	FIRST USE IN COMMERCE DATE	09/01/2013	CLASS STATUS	6-ACTIVE

MISCELLANEOUS INFORMATION/STATEMENTS	
CHANGE IN REGISTRATION	NO
DISCLAIMER W/PREDETER TXT	"EMPLOYEE SERVICES"

PROSECUTION HISTORY				
DATE	ENT CD	ENT TYPE	DESCRIPTION	ENT NUM
12/20/2021	CNSA	O	APPROVED FOR PUB - PRINCIPAL REGISTER	008
12/15/2021	RCCK	S	SUSPENSION CHECKED ? TO ATTORNEY FOR ACTION	007
06/10/2021	GNS3	O	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	006
06/10/2021	GNSL	F	LETTER OF SUSPENSION E-MAILED	005
06/10/2021	CNSL	R	SUSPENSION LETTER WRITTEN	004
06/03/2021	DOCK	D	ASSIGNED TO EXAMINER	003
02/19/2021	NWOS	I	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	002
12/15/2020	NWAP	I	NEW APPLICATION ENTERED IN TRAM	001

CURRENT CORRESPONDENCE INFORMATION	
ATTORNEY	Samuel K Swenson
CORRESPONDENCE ADDRESS	SAMUEL K SWENSON THE SWENSON LAW FIRM 8788 GREENBACK LN STE 105 ORANGEVALE, CA 95662
DOMESTIC REPRESENTATIVE	NONE

PINNACLE EMPLOYEE SERVICES

To: Michael Allen (sam@swensonlawfirm.com)
Subject: U.S. Trademark Application Serial No. 90376137 - PINNACLE EMPLOYEE SERVICES - N/A
Sent: June 10, 2021 11:53:02 AM
Sent As: ecom104@uspto.gov
Attachments: [Attachment - 1](#)
[Attachment - 2](#)
[Attachment - 3](#)

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial
No. 90376137

Mark: PINNACLE
EMPLOYEE SERVICES

Correspondence
Address:
SAMUEL K
SWENSON
THE SWENSON
LAW FIRM
8788 GREENBACK
LN
STE 105
ORANGEVALE, CA
95662
Applicant: Michael
Allen

Reference/Docket No.
N/A

Correspondence Email
Address:

sam@swensonlawfirm.com

SUSPENSION NOTICE
No Response Required

Issue date: June 10, 2021

The application is suspended for the reason specified below. *See* 37 C.F.R. §2.67; TMEP §§716 *et seq.*

The pending application below has an earlier filing date or effective filing date than applicant's application. If the mark in the application below registers, the USPTO may refuse registration of applicant's mark under Section 2(d) because of a likelihood of confusion with the registered mark(s). 15 U.S.C. §1052(d); *see* 37 C.F.R. §2.83; TMEP §1208.02(c). Action on this application suspended until the prior-filed application below either registers or abandons. 37 C.F.R. 2.83(c). Information relevant to the application below is provided in this letter.

- U.S. Application Serial No. 90284799

Suspension process. The USPTO will periodically check this application to determine if it should remain suspended. *See* TMEP §716.04. As

needed, the trademark examining attorney will issue a letter to applicant to inquire about the status of the reason for the suspension. TMEP §716.05.

No response required. Applicant may [file a response](#), but is not required to do so.

/Donald Johnson/
Donald O. Johnson
Examining Attorney
Law Office 104
571-272-7831
don.johnson@uspto.gov

Print: Jun 7, 2021

90284799

DESIGN MARK

Serial Number

90284799

Status

NON-FINAL ACTION - MAILED

Word Mark

PINNACLE EMPLOYEE SERVICES

Standard Character Mark

No

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

Owner

Pinnacle Holding Company, LLC LIMITED LIABILITY COMPANY NEW YORK 507
Plum St., Suite 120 Syracuse NEW YORK 13204

Goods/Services

Class Status -- ACTIVE. IC 035. US 100 101 102. G & S: Payroll
administration and management services. First Use: 2014/11/18. First
Use In Commerce: 2014/11/18.

Goods/Services

Class Status -- ACTIVE. IC 036. US 100 101 102. G & S:
Administration of employee benefit plans concerning insurance and
finance; Claims administration in the field of workers' compensation.
First Use: 2014/11/18. First Use In Commerce: 2014/11/18.

Disclaimer Statement

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "EMPLOYEE SERVICES"
APART FROM THE MARK AS SHOWN.

Description of Mark

The mark consists of an icon of two triangular figures representing
people positioned to the left of the words Pinnacle Employee Services.

Filing Date

2020/10/28

Examining Attorney

BROWNE, LUCY ELLEN

Print: Jun 7, 2021

90284799

Attorney of Record
George R. McGuire



To: Michael Allen (sam@swensonlawfirm.com)
Subject: U.S. Trademark Application Serial No. 90376137 - PINNACLE EMPLOYEE SERVICES - N/A
Sent: June 10, 2021 11:53:04 AM
Sent As: ecom104@uspto.gov
Attachments:

United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on **June 10, 2021** for
U.S. Trademark Application Serial No. 90376137

Your trademark application has been reviewed by a trademark examining attorney. As part of that review, the assigned attorney has issued an official letter. Please follow the steps below.

- (1) [Read the official letter](#). No response is necessary.
- (2) **Direct questions** about the contents of the Office action to the assigned attorney below.

/Donald Johnson/
Donald O. Johnson
Examining Attorney
Law Office 104
571-272-7831
don.johnson@uspto.gov

Direct questions about navigating USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and/or whether there are outstanding deadlines or documents related to your file to the [Trademark Assistance Center \(TAC\)](#).

GENERAL GUIDANCE

- [Check the status](#) of your application periodically in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- [Update your correspondence email address](#), if needed, to ensure you receive important USPTO notices about your application.
- [Beware of misleading notices sent by private companies about your application](#). Private companies not associated with the USPTO use public information available in trademark registrations to mail and email trademark-related offers and notices – most of which require fees. All **official USPTO correspondence** will only be **emailed from the domain “@uspto.gov.”**

*** User:djohnson2 ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	90376137[SN]
02	454	N/A	0	0	0:01	*p{"iy"}{"n":2}{v}{"ck"}!*[bi,ti] not dead[ld]
03	3802073	N/A	0	0	0:01	"035"[cc]
04	268	0	266	252	0:01	2 and 3
05	808	N/A	0	0	0:01	*mpl{v}{"iy"}e*[bi,ti] not dead[ld]
06	16148	N/A	0	0	0:12	*{"sz"}{v}rv{"iy"}{"szc"}{v}*[bi,ti] not dead[ld]
07	2	0	2	2	0:01	2 and 5 and 6

Session started 6/7/2021 9:04:01 AM

Session finished 6/7/2021 10:18:43 AM

Total search duration 0 minutes 18 seconds

Session duration 74 minutes 42 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 90376137

*** User:djohnson2 ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	90376137[SN]
02	454	N/A	0	0	0:01	*p{"iy"} {"n"1:2} {v} {"ck"} !* [bi,ti] not dead[ld]
03	3802073	N/A	0	0	0:01	"035"[cc]
04	268	0	266	252	0:01	2 and 3
05	808	N/A	0	0	0:01	*mpl {v} {"iy"} e* [bi,ti] not dead[ld]
06	16148	N/A	0	0	0:12	* {"sz"} {v} rv {"iy"} {"szc"} {v} * [bi,ti] not dead[ld]
07	2	0	2	2	0:01	2 and 5 and 6

Session started 6/7/2021 9:04:01 AM

Session finished 6/7/2021 10:18:42 AM

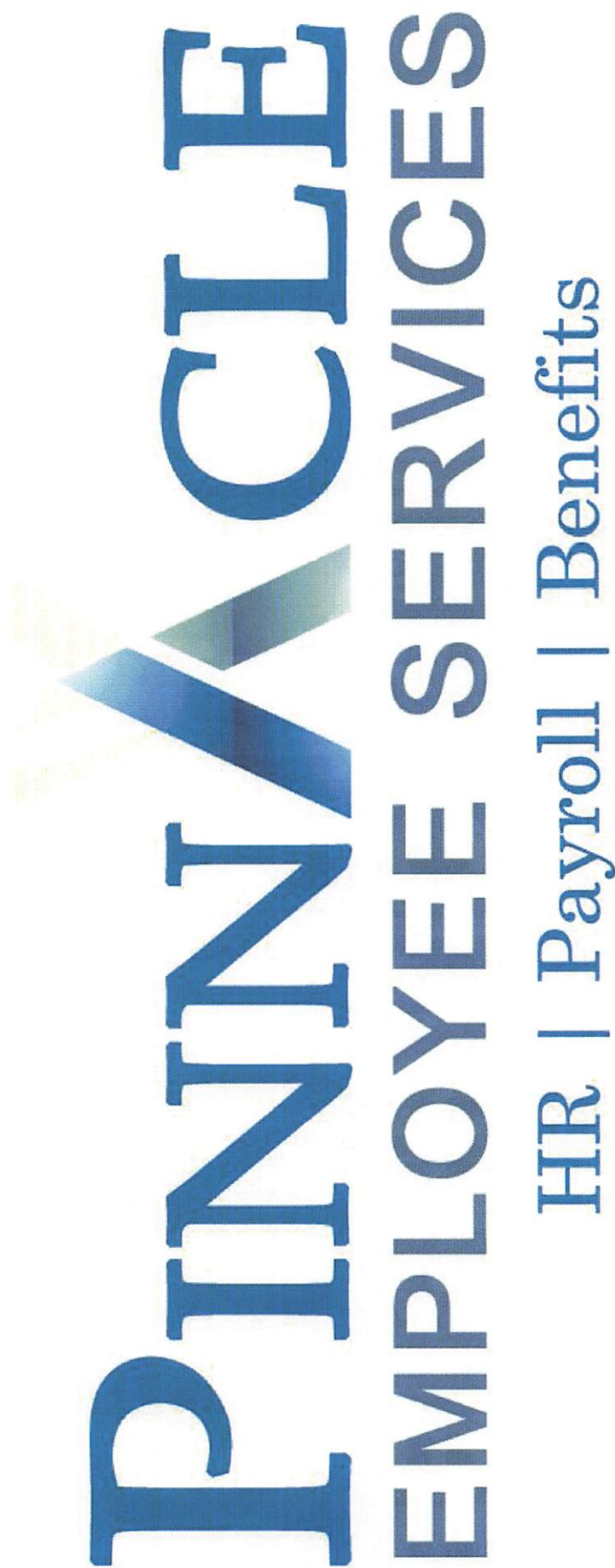
Total search duration 0 minutes 18 seconds


Session duration 74 minutes 41 seconds

Default NEAR limit=1 ADJ limit=1

Sent to TIGRS as Serial Number: 90376137

PINNACLE EMPLOYEE SERVICES





Home Payroll Human Resources Employee Benefits About Support COVID-19

CALL US: 888-353-2976

HR Login

Payroll Login



PLAY FULL VIDEO



57°F Sunny



10:10 AM 3/8/2024

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1473 (Rev. 09/2009)
OMB No. 0651-0009 (Exp. 02/28/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 90376137

Filing Date: 12/11/2020

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	<u>PINNACLE EMPLOYEE SERVICES</u>
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	PINNACLE EMPLOYEE SERVICES
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Michael Allen
*MAILING ADDRESS	2377 Gold Meadow Way
*CITY	Gold River
*STATE (Required for U.S. applicants)	California
*COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	95670
*DOMICILE	XXXX
PHONE	916-370-7849
*EMAIL ADDRESS	XXXX
WEBSITE ADDRESS	pinnaclehro.com
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
*COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	035

*IDENTIFICATION	Human resources consultation; Payroll preparation
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/06/2013
FIRST USE IN COMMERCE DATE	At least as early as 09/01/2013
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-26033006101aa50051f3_7ae17c578d34-20201211144539596904_Pinnacle_Screen_Shot_2020-12-11_at_12.03.40_PM.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT18\IMAGEOUT18\903\761\90376137.xml\FTK0003.JPG
SPECIMEN DESCRIPTION	Screenshot of website-URL https://www.pinnaclehro.com/home , taken on 12/11/2020- showing use of the mark advertising the related services.
ADDITIONAL STATEMENTS SECTION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
DISCLAIMER	No claim is made to the exclusive right to use employee services apart from the mark as shown.
ATTORNEY INFORMATION	
NAME	Samuel K Swenson
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	The Swenson Law Firm
INTERNAL ADDRESS	Ste 105
STREET	8788 Greenback Ln
CITY	Orangevale
STATE	California
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
ZIP/POSTAL CODE	95662
PHONE	916-333-0833
FAX	9164593111
EMAIL ADDRESS	sam@swensonlawfirm.com
CORRESPONDENCE INFORMATION	

NAME	Samuel K Swenson
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	sam@swensonlawfirm.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	erica@swensonlawfirm.com
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	1
APPLICATION FOR REGISTRATION PER CLASS	225
*TOTAL FEES DUE	225
*TOTAL FEES PAID	225
SIGNATURE INFORMATION	
* SIGNATURE	/Samuel K Swenson/
* SIGNATORY'S NAME	Samuel K Swenson
* SIGNATORY'S POSITION	Attorney of record, California Bar member
SIGNATORY'S PHONE NUMBER	916-333-0833
* DATE SIGNED	12/11/2020

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.
PTO Form 147E (Rev. 10/2016)
OMB No. 0651-0003 (E-p. 02/20/2021)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 90376137

Filing Date: 12/11/2020

To the Commissioner for Trademarks:

MARK: PINNACLE EMPLOYEE SERVICES (Standard Characters, see [mark](#))

The literal element of the mark consists of PINNACLE EMPLOYEE SERVICES. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, Michael Allen, a citizen of United States, having an address of

2377 Gold Meadow Way
Gold River, California 95670
United States
916-370-7849(phone)
XXXX

Domiciled at: XXXX

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 035: Human resources consultation; Payroll preparation

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 035, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 08/06/2013, and first used in commerce at least as early as 09/01/2013, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Screenshot of website-URL <https://www.pinnaclehro.com/home>, taken on 12/11/2020-showing use of the mark advertising the related services..

Original PDF file:

[SPE0-26033006101aa50051f3 7ae17c578d34-202012111445 39596904 . Pinnacle Scree n Shot 2020-12-11 at 12.0 3.40 PM.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Disclaimer

No claim is made to the exclusive right to use employee services apart from the mark as shown.

For informational purposes only, applicant's website address is: [pinnaclehro.com](https://www.pinnaclehro.com)

The owner's/holder's proposed attorney information: Samuel K Swenson. Samuel K Swenson of The Swenson Law Firm, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

Ste 105
8788 Greenback Ln
Orangevale, California 95662
United States
916-333-0833(phone)
9164593111(fax)
sam@swensonlawfirm.com

Samuel K Swenson submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

Samuel K Swenson

PRIMARY EMAIL FOR CORRESPONDENCE: sam@swensonlawfirm.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): erica@swensonlawfirm.com

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$225 has been submitted with the application, representing payment for 1 class(es).

Declaration

☒ **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce and was in use in commerce as of the filing date of the application on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application and was used on or in connection with the goods/services in the application as of the application filing date; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

And/Or

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Samuel K Swenson/ Date: 12/11/2020

Signatory's Name: Samuel K Swenson

Signatory's Position: Attorney of record, California Bar member

Signatory's Phone Number: 916-333-0833

Payment Sale Number: 90376137

Payment Accounting Date: 12/11/2020

Serial Number: 90376137

Internet Transmission Date: Fri Dec 11 15:26:35 ET 2020

TEAS Stamp: USPTO/FTK-XXXX:XXXX:XXXX:XXXX:XXXX:XXXX:

XXXX:XXXX-20201211152635135061-90376137-

750539fb167dcf084d1f88f389fcaa03264771ed

7541c96113e5fab72e632ef168-CC-26335897-2

0201211144539596904

PINNACLE EMPLOYEE SERVICES

← → ↻ 🏠 🔒 pinnaclehro.com/home ☆ 📱 📧 ⚙️ 👤 ⋮

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FORMS | BLOG

 Pinnacle Employee Services Human Resources, Payroll, Benefits 

PINNACLE
EMPLOYEE SERVICES

A Full Service HR Provider

[Pinnacle Employee Services](#) is a full-service HR Management company. We are dedicated to assisting businesses with increased compliance requirements resulting from the rapidly evolving legislation. Our goal is to minimize your administrative burden across the entire spectrum of payroll, tax, HR and benefits, so that you can focus on running your business.

You will be impressed by how smoothly your payroll and HR functions will run when they are handled by Pinnacle. We provide the best-in class solutions that help you run your business better. These solutions allow you to focus on growing your business without the stressful and time consuming tasks of Payroll and Human Resource compliance.

With our cutting – edge technology, our services provide businesses an intuitive and comprehensive solution that delivers trouble free payroll services and strategic HR Outsourcing services. No matter what industry or size your business is, we have a solution for you.

To get started, [contact](#) Pinnacle Employee Services and we will put an action plan together to relieve you of those stressful and daunting payroll and human resource tasks.



Likelihood of Confusion

Likelihood of confusion exists between trademarks when the marks are so similar and the goods and/or services for which they are used are so related that consumers would mistakenly believe they come from the same source. Each application is decided on its own facts, and no strict mechanical test exists for determining likelihood of confusion.

Similarity of Marks

To determine whether a likelihood of confusion exists, the marks are first examined for their similarities and differences. Note that in order to find a likelihood of confusion, the marks do not have to be identical. When marks sound alike when spoken, are visually similar, and/or create the same general commercial impression in the consuming public's mind, the marks may be considered confusingly similar. Similarity in sound, appearance, and/or meaning may be sufficient to support a finding of likelihood of confusion, depending on the relatedness of the goods and/or services. The following are examples of marks that would be considered similar:

Sound

The marks sound alike.

Our Mark	Their Mark (Conflicting Mark)
 The logo for Pinnacle Employee Services. It features the word "PINNACLE" in a large, blue, serif font with a stylized blue triangle above the "A". Below it, "EMPLOYEE SERVICES" is written in a smaller, blue, sans-serif font, followed by a registered trademark symbol. At the bottom, "HR Payroll Benefits" is written in a small, blue, sans-serif font.	 The logo for Pinnacle Employee Services. It features a stylized black silhouette of a person's head and shoulders on the left. To the right of the silhouette, the word "Pinnacle" is written in a large, blue, sans-serif font, and "Employee Services" is written below it in a smaller, blue, sans-serif font.

Appearance

The marks look very similar, even though the one on the right uses a different style font.

Our Mark	Their Mark (Conflicting Mark)
 <p>PINNACLE EMPLOYEE SERVICES® HR Payroll Benefits</p>	 <p>Pinnacle Employee Services</p>

Commercial Impression

Because the marks include the same design element, they create a similar overall commercial impression, even though the one on the right the logo is on the left-hand side of the text.

Our Mark	Their Mark (Conflicting Mark)
 <p>PINNACLE EMPLOYEE SERVICES® HR Payroll Benefits</p>	 <p>Pinnacle Employee Services</p>

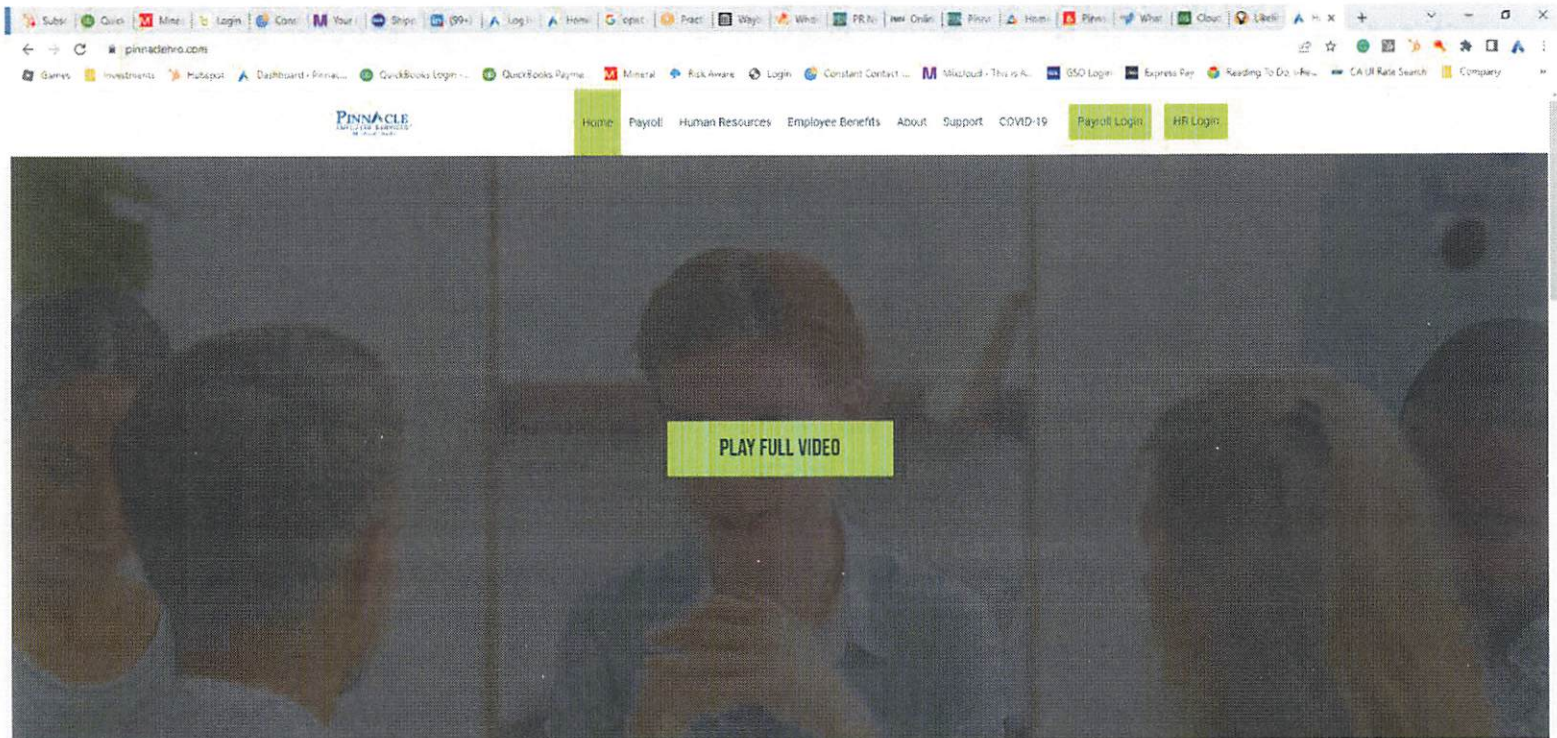
Relatedness of Goods and/or Services

Even if two marks are found to be confusingly similar, a likelihood of confusion will exist only if the goods and/or services upon which or in conjunction with the marks are used are, in fact, related. Whether the goods and/or services are related is determined by considering the commercial relationship between the goods and/or services identified in the application with those identified in the registration or earlier-filed application. To find relatedness between goods and/or services, the goods and/or services do not have to be identical. It is sufficient that they are related in such a manner that consumers are likely to assume (mistakenly) that they come from a common source. The issue is not whether the actual goods and/or services are likely to be confused but, rather, whether a likelihood of confusion would exist as to the source of the goods and/or services. The following are examples of related goods and/or services:

Services

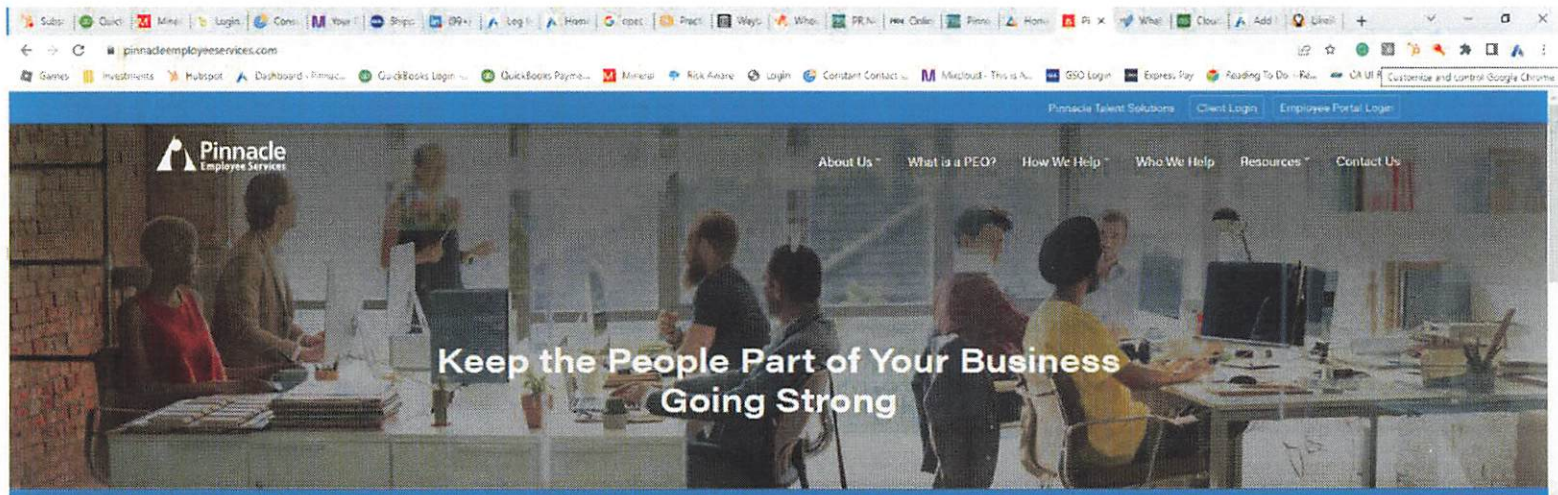
Our Services	Their services (Conflicting Services)
<ul style="list-style-type: none"> Employee Administration Payroll HR Compliance/Administration Benefits Insurance 	<ul style="list-style-type: none"> Employee Administration Payroll Benefits HR / Compliance Retirement / 401(k)

Our website



Payroll & HR done better

Their website



**Owning a business shouldn't mean paying more for
Employee Benefits, Payroll, and Human Resources tools.**

We founded Pinnacle Employee Services to streamline these processes for you so you can focus on what's important: growing your business.



Source: uspto.gov